

TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

Proposed Rule LSA Document #09-6

DIGEST

Adds 410 IAC 6-2.1-5.3; 410 IAC 6-2.1-5.6; 410 IAC 6-2.1-7.5; 410 IAC 6-2.1-12.5; 410 IAC 6-2.1-18.5 and 410 IAC 6-2.1-19.5 to add new definitions. Adds 410 IAC 6-2.1-42.1 concerning tourist home pools and spas. Amends 410 IAC 6-2.1-44 to amend procedures concerning fecal accidents. Makes numerous other changes concerning updating definitions, updating requirements for the operation of public and semi-public pools and spas and updates reference information. Repeals 410 IAC 6-2.1-8. Effective 30 days after filing with Publisher.

410 IAC 6-2.1-2; 410 IAC 6-2.1-5; 410 IAC 6-2.1-5.3; 410 IAC 6-2.1-5.6; 410 IAC 6-2.1-7.5; 410 IAC 6-2.1-8; 410 IAC 6-2.1-12.5; 410 IAC 6-2.1-17; 410 IAC 6-2.1-18; 410 IAC 6-2.1-18.5; 410 IAC 6-2.1-19.5; 410 IAC 6-2.1-25; 410 IAC 6-2.1-26; 410 IAC 6-2.1-27; 410 IAC 6-2.1-29; 410 IAC 6-2.1-30; 410 IAC 6-2.1-31; 410 IAC 6-2.1-32; 410 IAC 6-2.1-34; 410 IAC 6-2.1-35; 410 IAC 6-2.1-36; 410 IAC 6-2.1-38; 410 IAC 6-2.1-40; 410 IAC 6-2.1-42.1; 410 IAC 6-2.1-43; 410 IAC 6-2.1-44; 410 IAC 6-2.1-47.

SECTION 1. 410 IAC 6-2.1-2 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-2 "Air gap" defined
Authority: IC 16-19-3-4
Affected: IC 16-19-3

Sec. 2. "Air gap" means the unobstructed vertical distance through atmosphere between the water supply inlet and the flood level rim of the receiving unit, and is at least ~~a distance equal to~~ two (2) times the diameter of the water supply outlet or pipe or six (6) inches, **whichever is the smaller distance.** (*Indiana State Department of Health; 410 IAC 6-2.1-2; filed May 19, 2003, 8:30 a.m.: 26 IR 3325*)

SECTION 2. 410 IAC 6-2.1-5 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-5 "Competition pool" defined
Authority: IC 16-19-3-4
Affected: IC 16-19-3

Sec. 5. "Competition pool" means any pool intended for use for accredited competitive aquatic events. ~~Such~~ **Competition** pools may also be used for recreation and instruction. (*Indiana State Department of Health; 410 IAC 6-2.1-5; filed May 19, 2003, 8:30 a.m.: 26 IR 3325*)

SECTION 3. 410 IAC 6-2.1-5.3 IS ADDED TO READ AS FOLLOWS:

410 IAC 6-2.1-5.3 "CT inactivation value" defined
Authority: IC 16-19-3-4
Affected: IC 16-19-3

Sec. 5.3 "CT inactivation value" means the concentration (C) of free chlorine in ppm (or mg/L) multiplied by time (T) in minutes at a specific pH and temperature.

SECTION 4. 410 IAC 6-2.1-5.6 IS ADDED TO READ AS FOLLOWS:

410 IAC 6-2.1-5.6 "Deep areas" defined
Authority: IC 16-19-3-4
Affected: IC 16-19-3

Sec. 5.6 . "Deep areas" means areas of the pool exceeding five (5) feet in depth.

SECTION 5. 410 IAC 6-2.1-7.5 IS ADDED TO READ AS FOLLOWS:

410 IAC 6-2.1-7.5 "Maximum bather load" defined

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 7.5. "Maximum bather load" means the maximum usage of the pool calculated based on the following, whichever is applicable:

- (1) If the deck area is less than the surface area of the pool:
 - (A) Shallow, beginners' or wading areas are calculated at 15 square feet of pool surface per bather;
 - (B) Deep areas (not including diving areas) are calculated at 20 square feet of pool surface per bather;
 - (C) Diving areas are calculated at 300 square feet of pool surface per bather; and the three calculated partial bather loads are totalized.
- (2) If the deck area is equal to or larger than the surface area of the pool:
 - (A) Shallow, beginners' or wading areas are calculated at 12 square feet of pool surface per bather;
 - (B) Deep areas (not including diving areas) are calculated at 15 square feet of pool surface per bather;
 - (C) Diving areas are calculated at 300 square feet of pool surface per bather; and the three calculated partial bather loads are totalized.
- (3) If the deck area is twice the surface area of the pool, or larger:
 - (A) Shallow, beginners' or wading areas are calculated at 8 square feet of pool surface per bather;
 - (B) Deep areas (not including diving areas) are calculated at 10 square feet of pool surface per bather;
 - (C) Diving areas are calculated at 300 square feet of pool surface per bather; and the three calculated partial bather loads are totalized.

SECTION 6. 410 IAC 6-2.1-12.5 IS ADDED TO READ AS FOLLOWS:

410 IAC 6-2.1-12.5 "ppm" defined

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 12.5. "ppm" means parts per million and is equivalent to milligrams per liter when the medium is water.

SECTION 7. 410 IAC 6-2.1-17 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-17 "Semi-public pool" defined

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 17. "Semi-public pool" means any pool that is intended to be used for swimming or bathing and is operated solely for and in conjunction with:

- (1) schools, universities, and colleges;
- (2) hotels, motels, apartments, condominiums, bed and breakfasts, **tourist homes**, or similar lodgings;
- (3) camps or mobile home parks; or
- (4) membership clubs or associations.

Nothing in this article shall be construed as applying to any pool, constructed at a one (1) or two (2) family dwelling, and maintained by an individual for the sole use of the household and house guests. (*Indiana State Department of Health; 410 IAC 6-2.1-17; filed May 19, 2003, 8:30 a.m.: 26 IR 3326*)

SECTION 8. 410 IAC 6-2.1-18 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-18 "Spa" defined

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 18. "Spa" means a pool designed for recreational and/or therapeutic use, **commonly known as a hot tub or therapy pool**, which is not drained, cleaned, and refilled after each use. The term may include, but is not limited to:

- (1) hydrojet circulation;
- (2) hot water;
- (3) cold water;
- (4) mineral baths;
- (5) air induction systems; or
- (6) any combination thereof.

(Indiana State Department of Health; 410 IAC 6-2.1-18; filed May 19, 2003, 8:30 a.m.: 26 IR 3326)

SECTION 9. 410 IAC 6-2.1-18.5 IS ADDED TO READ AS FOLLOWS:

410 IAC 6-2.1-18.5 "Standard methods" defined

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 18.5 "Standard Methods" means Standard Methods for the Examination of Water and Wastewater, twenty-first edition, published by the American Public Health Association, Inc., in 2005, specifically Part 9000, Microbiological Examination of Water.

SECTION 10. 410 IAC 6-2.1-19.5 IS ADDED TO READ AS FOLLOWS:

410 IAC 6-2.1-19.5 "Tourist home" defined

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 19.1 "Tourist home" means a structure constructed as a single family dwelling, that is rented or otherwise contracted for overnight lodging more than three (3) times per year or more than ten (10) days per year, total.

SECTION 11. 410 IAC 6-2.1-25 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-25 Administration of rule

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 25. (a) This rule may be administered by the department or by the local health officer through their authorized agent.

(b) Semi-public pools on the premises of a tourist home shall be operated and maintained in accordance with sections 26(b), 28(b), 42.1, and 44 of this rule.

(c) Semi-public spas on the premises of a tourist home shall be operated and maintained in accordance with sections 26(b), 28(b), 42.1, and 44 of this rule. *(Indiana State Department of Health; 410 IAC 6-2.1-25; filed May 19, 2003, 8:30 a.m.: 26 IR 3327)*

SECTION 12. 410 IAC 6-2.1-26 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-26 New construction

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 26. (a) Public and semi-public pools, **excepting those on the premises of a tourist home**, shall be designed, constructed, maintained, and modified in accordance with 675 IAC 20.

(b) **Semi-public pools on the premises of a tourist home**, shall be designated, constructed, maintained, and modified in accordance with 675 IAC 20-4, **excepting spas which must be commercially manufactured, residential style**

spas, or be configured in accordance with 675 IAC 20-3. (Indiana State Department of Health; 410 IAC 6-2.1-26; filed May 19, 2003, 8:30 a.m.: 26 IR 3327)

SECTION 13. 410 IAC 6-2.1-27 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-27 Water supply

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 27. (a) An adequate and convenient supply of potable water that meets the provisions of 327 IAC 8-2 shall be provided at plumbing fixtures used for drinking, cooking, dishwashing, hand washing, showering, and pool water.

(b) Wells shall be constructed, installed, and located in accordance with 327 IAC 8-2 and 312 IAC 13.

(c) A public water supply shall be exclusively used if available within a reasonable distance. A water supply, properly located and constructed, shall be provided if a public water supply is not available.

(d) The construction and location of wells with less than fifteen (15) service connections, or serving less than twenty-five (25) people, shall comply with Bulletin S.E. 13. All other wells shall comply with 327 IAC 8-2.

(e) The water supply and distribution system shall have the capacity to deliver a minimum water pressure of twenty (20) pounds per square inch to all water connections during periods of peak water usage. The water supply shall have a capacity to meet total water demands. If a well or pump cannot meet a peak or daily demand, a sufficient useable storage capacity shall be provided.

(f) The casing pipe of a well shall extend no less than twenty-four (24) inches above floor level, finish grade, or the highest flood level on record.

(g) Water supplies shall have no wellhead, well casing, pump, pumping machinery, exposed pressure tanks, or suction piping located in any pit, room, or enclosure that does not have free drainage by gravity to the ground surface at all times.

(h) Stop-and-waste valves (including unapproved frost-proof hydrants) or other devices that would allow aspiration or backflow of contaminated water into the potable system shall not be used.

(i) All portions of the water distribution system serving pools, and auxiliary facilities, shall be protected against backflow and backsiphonage. Water introduced into the pool, either directly or through the recirculation system, shall be supplied through an air gap or in accordance with ~~675 IAC 16~~ 675 IAC 16. (Indiana State Department of Health; 410 IAC 6-2.1-27; filed May 19, 2003, 8:30 a.m.: 26 IR 3327)

SECTION 14. 410 IAC 6-2.1-29 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-29 Sanitary facilities

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 29. (a) The ratio and location of sanitary facilities for public and semi-public pools shall be in accordance with 675 IAC 20-2-27.

(b) Sanitary facilities are not required poolside at semi-public pools if sanitary facilities are available to pool patrons within three hundred (300) feet of the pool enclosure.

(c) Toilet paper and covered waste receptacles shall be provided for toilet facilities.

(d) Soap, covered waste receptacles, and paper towels or electrical hand-drying units shall be provided at the lavatories.

(e) Hot and cold water shall be provided through a mixing faucet. **Hot water temperature shall be at least ninety (90) degrees Fahrenheit and shall not exceed one hundred twenty (120) degrees Fahrenheit.**

(f) When showers are provided, the water temperature shall be at least ninety (90) degrees Fahrenheit and shall not exceed one hundred twenty (120) degrees Fahrenheit. ~~An approved hot water control valve shall be installed on the hot water heater to ensure safe water temperature.~~ **An approved, properly operating hot water control valve shall be installed on the hot water heater to prevent the hot water temperature from exceeding one hundred twenty (120) degrees Fahrenheit at the point of use. Soap shall be provided at any shower.**

(g) All sanitary facilities shall be maintained in a safe and sanitary condition. (Indiana State Department of Health; 410 IAC 6-2.1-29; filed May 19, 2003, 8:30 a.m.: 26 IR 3328)

SECTION 15. 410 IAC 6-2.1-30 IS AMENDED TO READ AS FOLLOWS:

Sec. 30. (a) All pools, when open for use, shall be continuously and automatically disinfected with a chemical that imparts an easily measured, free residual.

(b) A free residual of the disinfectant chemical shall be maintained throughout the pool at concentrations in accordance with the following:

POOL TYPE	CHLORINE		BROMINE	
	Minimum	Maximum	Minimum	Maximum
Wading pools	3.0 ppm	7.0 ppm	4.0 ppm	10.0 ppm
Spa pools	2.0 ppm	7.0 ppm	4.0 ppm	10.0 ppm
Waterslide plunge pools	2.0 ppm	7.0 ppm	3.0 ppm	10.0 ppm
Wave pools	2.0 ppm	7.0 ppm	3.0 ppm	10.0 ppm
All other pools	1.0 ppm	7.0 ppm	2.0 ppm	10.0 ppm

(c) Whenever the residual disinfectant falls below the minimum concentration required or exceeds the maximum concentration allowed, the pool shall be cleared and kept free of bathers until disinfectant residuals are within the acceptable range.

(d) The department may accept other disinfecting materials or methods when such materials or methods have been demonstrated:

- (1) to provide a residual effect equivalent to halogens;
- (2) to be easily measured under conditions of use;
- (3) not to be dangerous to public health;
- (4) not to create objectionable physiological effects; or
- (5) not to impart toxic properties to the water.

(e) The pool water shall be superchlorinated to breakpoint or superoxidized with a nonchlorine oxidizer, when the pool test kit reveals a combined chlorine (chloramine) concentration of five-tenths (0.5) parts per million (ppm) or greater.

(f) Chlorinated isocyanurates or stabilized chlorine shall not be used for breakpoint chlorination.

(g) The pool shall be closed and remain closed during breakpoint chlorination until the chlorine concentration drops to the maximum level referenced in subsection (b).

(h) If a nonchlorine oxidizer is used to superoxidize, the pool shall be closed and shall remain closed in accordance with the specifications on the product label.

(i) A test kit shall be readily available for use by the pool operator, with reagents replaced according to manufacturer's requirements, and meet the following:

- (1) For pools that use chlorine as a disinfectant, a test kit shall be used that covers a minimum range of zero (0.0) ppm to five (5.0) ppm or higher. The test kit must be in increments of five-tenths (0.5) ppm and be capable of measuring total chlorine.
- (2) Orthotolidine may not be used as the disinfectant testing reagent.
- (3) For pools that use a disinfectant other than chlorine, the test kit shall have the range and accuracy proportionate to the range required for chlorine test kits.
- (4) A pH test kit accurate to the nearest two-tenths (0.2) pH unit and covering a minimum range of seven (7.0) to eight (8.0) pH units shall be used.
- (5) When a cyanurate is used as a chlorine stabilizer, the test kit shall be capable of measuring cyanuric acid concentrations.
- (6) A test kit capable of measuring total alkalinity shall be used.

(j) If chlorinated isocyanurate or cyanuric acid stabilizers are used in a pool, the concentration shall not exceed sixty (60) ppm. When the maximum allowable cyanuric acid concentration is exceeded, **the pool must be closed until** appropriate measures ~~shall be~~ **are** taken to lower the concentrations to the required range.

(k) Chlorinated isocyanurates and cyanuric acid stabilizers shall not be used in any indoor pool.

(l) Only in pools where chlorine is used as the disinfectant can cyanuric acid be used as a stabilizer.

(m) The water in a pool shall have a pH of not less than seven and two-tenths (7.2) and not more than seven and eight-tenths (7.8).

(n) The alkalinity of the water in pools shall be at least eighty (80) ppm **and no more than one hundred twenty (120) ppm** as titrated to the methyl orange endpoint.

(o) Pool water shall be tested for the following:

(1) pH and disinfectant residuals daily before the pool is open for use and at least one (1) other time during the hours of pool use.

(2) Combined chlorine at least twice a week when chlorine is used.

(3) Total alkalinity at least once a week.

(4) Cyanuric acid, when it is used, at least once a week.

(p) Spa water shall be tested for pH and disinfectant residuals daily before the spa is open for use and at least two (2) other times during the hours of spa use for the following:

(1) Combined chlorine concentration, when chlorine is used, at least twice a week.

(2) Total alkalinity at least once a week.

(q) All results shall be recorded.

(r) If electronic monitoring devices are used, the accuracy of the device must be checked as required by the manufacturer or compared for accuracy at least once per week with a test kit.

(s) The pool shall be closed for ~~a period equal to~~ at least one (1) hour following the manual addition of ~~a chemicals~~ **chemical directly to the pool water.**

(t) Any chemical used to treat the water in a pool must be used in accordance with the product label directions. (*Indiana State Department of Health; 410 IAC 6-2.1-30; filed May 19, 2003, 8:30 a.m.: 26 IR 3328*)

SECTION 16. 410 IAC 6-2.1-31 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-31 Water quality standards

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 31. (a) At all times, the water in a pool shall have sufficient clarity so that the main drain or a black disc, six (6) inches in diameter placed at the deepest part of the pool, is readily visible from the deck.

(b) The water temperature in spas may not exceed one hundred four (104) degrees Fahrenheit.

(c) One (1) water sample must be collected weekly from each pool and submitted for bacteriological examination. Samples may not be collected from any portion of the recirculation system.

(d) Sampling shall start at least one (1) week prior to the opening of the pool.

(e) Bacteriological examinations performed on each sample shall include the heterotrophic thirty-five (35) degree Centigrade plate count, and a total coliform test using either the:

(1) multiple tube fermentation test;

(2) membrane filter test; or

(3) one hundred (100) milliliter presence/absence test.

Tests shall be performed by a state-approved laboratory in accordance with the procedures outlined in ~~the 18th edition of Standard Methods for the Examination of Water and Wastewater (APHA), Part 9000, Microbiological Examination of Water, published in 1992.~~

(f) ~~All~~ **A copy of each water sample reports report** must be submitted to the local health department **by the pool owner or operator within seven (7) days of receiving such a report from the laboratory.** ~~(g)~~ No two (2) consecutive samples or three (3) samples collected in a six (6) week period shall demonstrate the following:

(1) Contain more than two hundred (200) bacteria colonies per milliliter as determined by the heterotrophic thirty-five (35) degree Centigrade plate count.

(2) Test positive (confirmed test) for coliform organisms in any of the five (5) to ten (10) milliliter portions of a sample when the multiple tube fermentation tube test is used.

(3) Test positive for more than one (1) coliform organism per fifty (50) milliliters when the membrane filter test is used.

(4) Show the presence of any coliform when the one hundred (100) milliliter presence/absence test is used.

~~(h)~~ Failure to collect and analyze weekly water samples during the period that a pool is open for use is considered an unsatisfactory report for the applicable week.

~~(i)~~ **(g)** When the pool must be closed due to an unsatisfactory sample report, an additional water sample must be submitted to an approved laboratory. The pool may be reopened upon receipt of a satisfactory report. (*Indiana State Department of Health; 410 IAC 6-2.1-31; filed May 19, 2003, 8:30 a.m.: 26 IR 3329*)

SECTION 17. 410 IAC 6-2.1-32 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-32 Recirculation

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 32. (a) The recirculation system shall be maintained in accordance with the following:

(1) The turnover rate for ~~spa pools~~ **spas** shall be once every half hour.

(2) For pools, except spas, built before September 13, 1989, the turnover rate shall be the lesser of the following times:

(A) Eight (8) hours.

(B) The maximum pool capacity in gallons, divided by the maximum bather load, divided again by one hundred eight (108) gallons per hour per bather.

(b) In all other ~~public~~ pools built **on or** after September 13, 1989, the turnover rate shall be as follows:

POOL TYPE	TURNOVER RATE
Wading pools	1 hour
Wave pools	2 hours
Zero depth pools	2 hours
Pools with wading areas	2 hours
Competition pools	6 hours
Diving pools	12 hours
All other pools	6 hours

(c) A suitable means shall be provided to measure the flow of water through the pool water ~~recirculating~~ **recirculation** system.

(d) Footbaths are prohibited.

(e) **All public and semi-public pools and spas must comply with the Virginia Graeme Baker Pool and Spa Safety Act, 15 U.S.C. 8001-8008** (*Indiana State Department of Health; 410 IAC 6-2.1-32; filed May 19, 2003, 8:30 a.m.: 26 IR 3330*)

SECTION 18. 410 6-2.1-34 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-34 Lifesaving and safety equipment

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 34. (a) At least one (1) unit of lifesaving equipment shall be provided at each pool and shall consist of the following:

(1) A life pole, or shepherd's crook type of pole, with blunted ends and a minimum length of twelve (12) feet.

(2) A **United States Coast Guard Approved** ring buoy, having a minimum outside diameter of twenty (20) inches, with one-fourth (¼) inch diameter rope equal in length to the width of the pool and not to exceed forty-five (45) feet in length.

(b) One (1) spine board, with straps and head immobilizer, shall be available for each pool enclosure, except for spas and wading pools.

(c) For pools with a surface area of two thousand (2,000) square feet or more, a rescue tube or ring buoy shall be provided for each lifeguard on duty.

(d) A **twenty-four (24) unit** first aid kit **that meets American National Standards Institute (ANSI) standard Z308.1-2003** and two (2) blankets shall be provided within each pool enclosure. The first aid kit shall be kept filled and ready for use whenever the pool is open for use. ~~and shall be equipped with the following:~~

~~(1) One (1) unit bandage scissors.~~

~~(2) One (1) unit tweezers.~~

~~(3) Four (4) units of adhesive bandages, one (1) inch by three (3) inches.~~

~~(4) Two (2) units of two (2) inch bandage compress.~~

~~(5) One (1) unit three (3) inch bandage compress.~~

~~(6) One (1) unit four (4) inch bandage compress.~~

~~(7) Two (2) units of absorbent gauze pad, three (3) inches by three (3) inches.~~

~~(8) One (1) unit of gauze compress, eighteen (18) inches by thirty-six (36) inches.~~

~~(9) Two (2) units of large compress, twenty-four (24) inches by seventy-two (72) inches.~~

~~(10) Two (2) units of four (4) inch gauze roller bandages.~~

~~(11) Two (2) units of triangular bandages.~~

~~(12) Two (2) units of instant ice packs.~~

~~(13) Two (2) units of disposable gloves, and~~

~~(14) One (1) unit of adhesive tape.~~

(e) A telephone shall be located within two hundred (200) feet of the pool enclosure and must be available for emergency use **whenever the pool is open for use**, with the following emergency telephone numbers posted within view:

(1) 911.

(2) Ambulance or rescue unit.

(3) Hospital.

(4) Police station.

(5) Fire department.

(f) Depth markings of pools shall conform to 675 IAC 20-2.

(g) A removable buoyed transition line, anchored at each end, shall separate the shallow area defined as five (5) feet or less, from the deeper pool area, except when the pool is being used for organized activities **or during operation as a wave pool**.

(h) One (1) unit of lifesaving equipment, in good repair, ready for use, and stored within twenty (20) feet of the pool, shall be provided for each two thousand (2,000) square feet of pool water surface, except spas and wading pools. (*Indiana State Department of Health; 410 IAC 6-2.1-34; filed May 19, 2003, 8:30 a.m.: 26 IR 3330*)

SECTION 19. 410 IAC 6-2.1-35 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-35 Lifeguards

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 35. (a) A qualified lifeguard is required for all public pools. A qualified lifeguard is required for all semi-public pools with a surface area of two thousand (2,000) square feet or more. Lifeguards must be on duty at poolside at all times when the pools are open for use.

(b) A qualified lifeguard or attendant must be stationed continuously at a waterslide and control its use.

(c) When lifeguards are required, they shall be provided as follows:

BATHER LOAD*	MINIMUM NUMBER OF LIFEGUARDS
0-75	1
76-150	2
151-225	3
226-300	4
301-375	5

*When the bather load exceeds three hundred seventy-five (375), one (1) lifeguard shall be provided for each additional seventy-five (75) bathers or fraction thereof.

(d) Lifeguards shall possess a current nationally recognized certification in each of the following:

- (1) Lifeguard training.
- (2) Adult/infant/child cardiopulmonary resuscitation.
- (3) First aid.

Copies of these certificates shall be kept on site and available for inspection.

(e) The operators of all public pools shall provide annual lifeguard orientation and training that includes training in bloodborne pathogens. New guards shall also receive training when they are employed.

(f) When on patron surveillance duty, lifeguards shall not perform any other duties and shall not be in the water except in the line of duty.

(g) Lifeguards on duty shall be identified with distinguishing equipment, apparel, or emblems.

(h) Lifeguard platforms or chairs shall be elevated five (5) to six (6) feet above the deck, placed in locations that minimize sun glare on the water, and in positions that will allow complete visual coverage of the pool and the pool bottom within a field of view no greater than forty-five (45) degrees on either side of a line extending straight out from the chair. *(Indiana State Department of Health; 410 IAC 6-2.1-35; filed May 19, 2003, 8:30 a.m.; 26 IR 3331)*

SECTION 20. 410 IAC 6-2.1-36 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-36 Warning signs

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 36. (a) Warning signs shall be provided in legible letters at least four (4) inches high as follows:

- (1) A sign warning "DANGER-HAZARDOUS CHEMICALS" shall be posted on or adjacent to the entrance to the pool chemical feed and chemical storage rooms.
- (2) Whenever the pool area is open for use and no lifeguard service is provided, warning signs shall be placed in plain view at the entrances and inside the pool area that state "Warning-No Lifeguard on Duty". In addition, the signs shall also state in clearly legible letters at least two (2) inches high, "No Swimming Alone. Children Under 14 Years of Age and Nonswimmers Shall Not Use the Pool Unless Accompanied by a Responsible Adult."
- (3) When the pool is not open for use, a sign shall be posted stating "POOL CLOSED".

- (4) A sign stating "No Diving" shall be posted at nondiving areas and at portions of the pool which are five (5) feet deep or less. "No Diving" signs are not required at spas or wading pools.
- (b) The following user sanitation and safety rules shall be posted on signs with letters at least one (1) inch high and within the pool enclosure:
- (1) Anyone who has or has had diarrhea in the past two (2) weeks shall not use the pool.
 - (2) Anyone who has an area of exposed subepidermal tissue, open blisters, cuts, etc., is advised not to use the pool.
 - (3) All persons shall take a cleansing shower before using the pool. A bather leaving the pool to use the toilet shall take another cleansing shower before returning to the pool enclosure.
 - (4) Spitting, spouting of water, blowing the nose, and similar behavior in the pool is prohibited.
 - (5) No running or rough play is permitted in the pool, on the runways, on diving boards, on floats, on platforms, in dressing rooms, or in showers.
 - (6) Street clothes are not allowed in the pool.
 - (7) **All diaper aged children shall use plastic pants with tight fitting elastic at the legs and waist, or swim diapers.**
 - (8) **Do not change diapers at poolside.**
- (c) In addition to the requirements of subsection (b), spa pools shall have the following posted:
- (1) Pregnant women, small children, or persons with heart disease, diabetes, high blood pressure, or low blood pressure should not enter the spa except under advice of a physician.
 - (2) Avoid use while under the influence of alcohol, tranquilizers, or other drugs that cause drowsiness or raise or lower blood pressure.
 - (3) Exposure greater than fifteen (15) minutes may result in drowsiness, nausea, or fainting.
- ~~(d) In addition to the requirements of subsection (b), wading pools shall have the following~~
- posted:
- ~~(1) All diaper aged children shall use plastic pants with tight fitting elastic at the legs and waist, or swim diapers.~~
 - ~~(2) Do not change diapers at poolside.~~
 - ~~(e) (d)~~ The following shall be posted near the entrance of swimming pool slides:
 - (1) One (1) rider at a time. Wait until the landing area is clear before entering the slide.
 - (2) Slide in a sitting position or on the back only.
 - (3) Do not attempt to stop on the slide.
 - (4) Leave the plunge area immediately.
 - (5) Warning: Water depth is _____ feet.
 - ~~(f) (e)~~ The following shall be posted near the entrance of the water slide:
 - (1) Only one (1) rider at a time.
 - (2) Follow the instructions of the attendant and/or lifeguard.
 - (3) No running, standing, kneeling, rotating, tumbling, or stopping in the flumes.
 - (4) No diving from a flume.
 - (5) Leave the plunge pool promptly after entering.
 - (f) Pools shall have a sign with letters at least one (1) inch high stating the maximum bather load posted within the pool enclosure.**

(Indiana State Department of Health; 410 IAC 6-2.1-36; filed May 19, 2003, 8:30 a.m.: 26 IR 3331)

SECTION 21. 410 IAC 6-2.1-38 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-38 Records of operation

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 38. (a) Operating records shall be logged daily, kept for a minimum of one (1) year, and be available upon request by the department. The operating records must contain the following:

- (1) Disinfectant residuals and combined chlorine concentrations.
- (2) pH readings.
- (3) Volume of fresh water added.
- (4) Operating periods of pool water recirculation pumps and filters and the corresponding rate of flow meter readings.

- (5) Amounts of chemicals used.
- (6) Maintenance and malfunctioning of equipment.
- (7) **The date and time of any fecal events occurring in the pool, whether it involved formed stool or diarrhea, and the free chlorine and pH levels at the time of observation of the event. Before reopening the pool, the free chlorine and pH levels, the procedures followed in response to the fecal accident including the process used to increase chlorine levels (if necessary), and the contact time must be recorded.**
- (b) An injury/incident report using a form prescribed by the department shall be made for each occurrence that:
 - (1) results in death;
 - (2) requires resuscitation;
 - (3) results in transportation to a hospital or other facility for medical treatment; or
 - (4) results in an illness connected to the water quality at the pool.
- (c) The injury/illness report shall be forwarded to the department within ten (10) days. (*Indiana State Department of Health; 410 IAC 6-2.1-38; filed May 19, 2003, 8:30 a.m.: 26 IR 3332*)

SECTION 22. 410 IAC 6-2.1-40 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-40 Food and drink area
 Authority: IC 16-19-3-4
 Affected: IC 16-19-3

Sec. 40. Food and drink may be permitted only in the visitor or spectator area of a public pool, or in a similarly separated snack area for bathers. (*Indiana State Department of Health; 410 IAC 6-2.1-40; filed May 19, 2003, 8:30 a.m.: 26 IR 3333*)

SECTION 23. 410 IAC 6-2.1-42.1 IS ADDED TO READ AS FOLLOWS:

410 IAC 6-2.1-42.1 Tourist home pools and spas
 Authority: IC 16-19-3-4
 Affected: IC 16-19-3

Sec. 42.1. (a) Water introduced into the pool or spa at a tourist home, either directly or through the recirculation system, shall be supplied through an air gap or in accordance with 675 IAC 16.

(b) Semi-public pools and spas at tourist homes shall meet the following:

(1) A free residual of the disinfectant chemical shall be maintained throughout the pool or spa at concentrations in accordance with the following:

Pool Type	CHLORINE		BROMINE	
	Minimum	Maximum	Minimum	Maximum
Pools	1.0 ppm	7.0 ppm	2.0 ppm	10.0 ppm
Spas	2.0 ppm	7.0 ppm	4.0 ppm	10.0 ppm

(2) Whenever the residual disinfectant falls below the minimum concentration required or exceeds the maximum concentration allowed, the pool or spa shall be cleared and kept free of bathers until disinfectant residuals are within the acceptable range.

(3) The pool or spa water shall be superchlorinated to breakpoint or superoxidized with a nonchlorine oxidizer, when the pool test kit reveals a combined chlorine (chloramine) concentration of five-tenths (0.5) ppm or greater.

(4) Chlorinated isocyanurates or stabilized chlorine shall not be used for breakpoint chlorination.

(5) The water temperature in a spa may not exceed one hundred four (104) degrees Fahrenheit.

(6) The water in a pool or spa shall have a pH of not less than seven and two-tenths (7.2) and not more than seven and eight-tenths (7.8).

(7) The alkalinity of the water in pools and spas shall be at least eighty (80) ppm as titrated to the methyl orange endpoint.

(8) If chlorinated isocyanurate or cyanuric acid stabilizers are used in a pool, the concentration shall not exceed sixty (60) ppm. When the maximum allowable cyanuric acid concentration is exceeded, appropriate measures shall be taken to lower the concentrations to the required range.

(9) Chlorinated isocyanurates and cyanuric acid stabilizers shall not be used in a spa or in an indoor pool.

(10) Only in pools where chlorine is used as the disinfectant can cyanuric acid be used as a stabilizer.

(11) Pool and spa water shall be tested for the following:

(A) pH and disinfectant residuals before each change in occupancy.

(B) Combined chlorine at least once a week when chlorine is used.

(C) Total alkalinity at least once a week.

(D) Cyanuric acid, when it is used, at least once a week.

(12) The pool or spa shall be closed for at least one (1) hour following the manual addition of a chemical directly to the water.

(13) Any chemical used to treat the water in a pool or spa must be used in accordance with the product label directions.

(14) At all times, the water in a pool shall have sufficient clarity so that the main drain or a black disc, six (6) inches in diameter placed at the deepest part of the pool, is readily visible from the deck. Water in a spa shall have sufficient clarity so, when the hydrojets are turned off, the main drain or a black disc, six (6) inches in diameter placed at the deepest part of the spa, is readily visible from the deck.

(15) One (1) water sample must be collected each month that the pool or spa is open for use and submitted for bacteriological examination. Samples may not be collected from any portion of the recirculation system. Bacteriological examinations performed on each sample shall include the heterotrophic thirty-five (35) degree Centigrade plate count and a total coliform test using either the:

(A) multiple tube fermentation test;

(B) membrane filter test; or

(C) one hundred (100) milliliter presence/absence test.

Tests shall be performed by a state-approved laboratory in accordance with the procedures outlined in Standard Methods.

(16) A copy of each water sample report must be submitted to the local health department by the pool or spa owner or operator within seven (7) days of receiving such a report from the laboratory. Should a bacteriological sample collected in accordance with subsection (b)(15) demonstrate any of the following:

(A) contain more than two hundred (200) bacteria colonies per milliliter as determined by the heterotrophic thirty-five (35) degree Centigrade plate count;

(B) test positive (confirmed test) for coliform organisms in any of the five (5) to ten (10) milliliter portions of a sample when the multiple tube fermentation tube test is used;

(C) test positive for more than one (1) coliform organism per fifty (50) milliliters when the membrane filter test is used; or

(D) show the presence of any coliform when the one hundred (100) milliliter presence/absence test is used;

another bacteriological sample shall be collected from the same pool within a week of receiving notice about the original monthly bacteriological sample test results, and analyzed in accordance with subsection (b)(15). No two (2) consecutive bacteriological samples shall demonstrate an exceedance of subsection (b)(16)(A), (B), (C) or (D). Failure to collect and analyze water samples in accordance with subsection (15) and this subsection during the period that a pool is open for use is considered an unsatisfactory report for the applicable month.

(17) When the pool or spa must be closed due to an unsatisfactory sample report, an

additional water sample must be submitted to an approved laboratory. The pool or spa may be reopened upon receipt of a satisfactory report.

(18) All items in the room used to store pool or spa water treatment chemicals shall be stored at least six (6) inches above the floor to allow for flushing the area in the case of a spill.

(19) All pool or spa water treatment chemicals shall be stored in accordance with manufacturer recommendations.

(20) A twenty-four (24) unit first aid kit that meets American National Standards Institute (ANSI) standard Z308.1-2003 shall be provided at each tourist home having a pool or spa.

(21) Prior to occupancy of a tourist home containing a spa, a legible printed warning shall be provided to the lodger stating the following:

(A) Pregnant women, small children, or persons with heart disease, diabetes, high blood pressure, or low blood pressure should not enter the spa except under advice of a physician.

(B) Avoid use while under the influence of alcohol, tranquilizers, or other drugs that cause drowsiness or raise or lower blood pressure.

(C) Exposure greater than fifteen (15) minutes may result in drowsiness, nausea, or fainting.

(c) The test kits used to determine quality of the water in a pool or spa at a tourist home shall have reagents replaced according to manufacturer's requirements, and shall meet the following:

(1) For pools or spas that use chlorine as a disinfectant, the test kit shall cover a minimum range from zero (0) ppm to five (5.0) ppm or higher. The test kit must be in increments of five-tenths (0.5) ppm and be capable of measuring total chlorine.

(2) For pools or spas that use a disinfectant other than chlorine, the test kit shall have the range and accuracy proportionate to the range required for chlorine test kits.

(3) When a cyanurate is used as a chlorine stabilizer, the test kit shall be capable of measuring cyanuric acid concentrations.

(4) A pH test kit accurate to the nearest two-tenths (0.2) pH unit and covering a minimum range of seven (7.0) to eight (8.0) pH units shall be used.

(5) A test kit capable of measuring total alkalinity shall be used.

SECTION 24. 410 IAC 6-2.1-43 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-43 Reasons for closure

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 43. A pool shall be closed when any of the following occurs:

(1) Failure to meet bacteriological requirements of section 31(f), 42.1(b)(15) or (16) of this rule.

(2) Failure to meet disinfectant concentrations of section 30(b), 42.1(b)(1) of this rule.

(3) Failure to meet the water clarity requirements of section 31(a) or 42.1 (b)(13) of this rule.

(4) The grate on the main drain is missing or broken.

(5) Failure to meet lifeguard requirements of section 35 of this rule, where applicable.

(6) A pump, filter, or disinfectant **chemical** feeder is ~~nonoperational~~ **not operational**.

(7) A nonsolid fecal accident.

(8) The spa water temperature exceeds one hundred four (104) degrees Fahrenheit.

(9) Failure to meet the pH requirement of section 30(m) or 42.1(b)(5) of this rule.

(10) If the department determines a condition, situation, or installation is created, installed or maintained that: may cause or result in a health or safety hazard; or may cause or transmit disease.

(Indiana State Department of Health; 410 IAC 6-2.1-43; filed May 19, 2003, 8:30 a.m.: 26 IR 3333)

SECTION 25. 410 IAC 6-2.1-44 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-44 Fecal accidents

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 44. (a) In the event that a solid stool or full stomach vomit is identified in the pool or spa water, the following steps are required:

- (1) The pool shall be cleared of all patrons and close all affected pools or spas operating a common filtration system and keep closed during the sanitation procedure.
- (2) The solid fecal material or vomit shall be removed using a net or scoop. ~~If a The pool vacuum shall not be~~ is used for this purpose, ~~the waste shall be discharged to the sanitary sewer and not through the pool filtration system.~~ All equipment used to remove the fecal material or vomit shall be sanitized with a fresh solution of twenty (20) parts per million (ppm) chlorine or immersed in the pool during disinfection. ~~The solution shall be prepared fresh.~~
- (3) The free chlorine/bromine level shall be tested.
- (4) pH shall be maintained ~~between 7.2 and 7.8~~ 7.5 or less.
- (5) Ensure water temperature of seventy-seven (77) degrees Fahrenheit or higher.
- (5) (6) ~~When the required level of disinfectant concentrations fail to meet the requirements of section 30(b) of this rule, the~~ If chlorine stabilizers are not present in the pool water, the pool shall remain be closed until the required levels of a minimum of 2 ppm of free disinfectant are has been present in the pool water for a minimum of twenty-five minutes as measured at poolside or the length of time necessary to attain a CT inactivation value of 45. When chlorine stabilizers are present in pool water, the pool shall be closed until 4 ppm of free disinfectant must be present in the pool water for a minimum of twenty-five (25) minutes as measured at poolside or the length of time necessary to attain a CT inactivation value of 100.
- (6) (7) When the required level of disinfectant ~~concentrations are~~ concentration is met, the pool may reopen.

(b) In the event that a nonsolid stool is identified in the pool or spa water, the following steps are required:

- (1) Immediately clear the pool of all patrons and close all affected pools or spas operating on a common filtration system and keep closed during the sanitization procedure.
- (2) The fecal matter should be removed as much as possible using a net or scoop. The pool vacuum shall not be used for this purpose. All equipment use to remove the fecal material shall be sanitized with a fresh solution of twenty (20) ppm chlorine or immersed in the pool during disinfection.
- (3) pH shall be maintained at 7.5 or less.
- (4) Ensure that water temperature shall be seventy-seven (77) degrees Fahrenheit or higher.
- (2) (5) If chlorine stabilizers are not present in the pool water, Raise raise and maintain the free chlorine residual in the pool water to twenty (20) ppm, chlorine minimum, and maintain it at that level for a minimum of seven-hundred sixty-five (765) minutes (12 ¾) hours, or for the length of time necessary to attain a "9600 contact time" CT value equivalent CT inactivation value of 15,3000, or completely drain the pool to a sanitary public sewer. Spas only may be completely drained to an or approved sewage disposal system other than a public sewer. Stabilized chlorine cannot be used to raise the free chlorine residual. When chlorine stabilizers are present in the pool water, the pool shall be closed, the pH lowered to 6.5, and a 40 ppm of free disinfectant must be present in the pool water for a minimum of thirty (30) hours as measured at poolside.
- (3) (6) When the pool is drained, sanitize all surfaces with a chlorine solution of at least twenty (20) ppm.
- (4) (7) When the pool is disinfected without draining, continuously operate the recirculation/filtration system during the sanitization/contact period time.
- (5) (8) Filters shall be backwashed to waste and filter material replenished as necessary.
- (6) (9) When the sanitizing contact period is completed, the pool may be reopened if:
 - (A) the excess free chlorine levels are reduced to the maximum allowed in section 30(b) of this rule;
 - (B) the pH is balanced as needed;
 - (C) the filter is recharged as needed; and
 - (D) the circulation system is operating.

(Indiana State Department of Health; 410 IAC 6-2.1-44; filed May 19, 2003, 8:30 a.m.: 26 IR 3333)

SECTION 26. 410 IAC 6-2.1-47 IS AMENDED TO READ AS FOLLOWS:

410 IAC 6-2.1-47 Incorporation by reference

Authority: IC 16-19-3-4

Affected: IC 16-19-3

Sec. 47. The following are hereby incorporated by reference as a part of this rule:

(1) Indiana State Department of Health Bulletin S.E. 11. Copies may be obtained by a mailed request to Indiana State Department of Health, 2 North Meridian Street, Indianapolis, Indiana 46204.

(2) Indiana State Department of Health Bulletin S.E. 13. Copies may be obtained by a mailed request to Indiana State Department of Health, 2 North Meridian Street, Indianapolis, Indiana 46204.

(3) ~~Standard Methods for the Examination of Water and Wastewater (APHA), Part 9000, Microbiological Examination of Water, eighteenth edition, 1992, 2005,~~ is incorporated by this rule. Copies may be obtained from the American Public Health Association, Inc., ~~1015 15th~~ **800 "I" Street N.W., Washington, D.C. 20005 20001-3710.**

(4) The standards of the Chlorine Institute, Inc., Pamphlet 82, July, 1999. Two (2) copies of these standards are available for reference at the department. Copies may be obtained from the Chlorine Institute ~~Bookstore, Inc., 2000 L Street N.W., Suite 506, Washington, D.C. 20036. P.O. Box 1020, Sewickley, Pennsylvania, 15143-1020.~~

(5) **Standard Z308.1-2003, Minimum Requirements for Workplace First Aid Kits,** published by the American National Standards Institute. Two (2) copies of these standards are available for reference at the department. Copies may be obtained from the International Safety Equipment Association, 1901 North Moore Street, Suite 808, Arlington, VA, 22209.

(6) **The Virginia Graeme Baker Pool and Spa Safety Act of 2007, 15 U.S.C. 8001-8008 (2009).** Two (2) copies of this law are available at the department. Copies may be obtained on line from the Consumer Products Safety Commission web site: <http://www.cpsc.gov/>

(Indiana State Department of Health; 410 IAC 6-2.1-47; filed May 19, 2003, 8:30 a.m.; 26 IR 3334)

SECTION 27. 410 IAC 6-2.1-8 IS REPEALED

